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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,331	01/25/2002	Jitendra Lakram	LAKR100	7977

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EXAMINER

BASINGER, SHERMAN D

ART UNIT

PAPER NUMBER

3617

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,331

Applicant(s)

LAKRAM, JITENDRA

Examiner

Sherman D. Basinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 20-24, 26 and 27 is/are rejected.
- 7) ☒ Claim(s) 25 and 28-37 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

1. The finality of the office action mailed January 16, 2003 is withdrawn in order to present new grounds of rejection with regard to claims 20-37 filed November 13, 2002.

As stated in the advisory action mailed March 7, 2003, claims 33-54 filed February 24, 2003 have not been entered because they are handwritten, and as such, do not comply with 37 C.F.R. 1.52(a)(1)(iv).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Ryczek.

In Ryczek the air compressor **which feeds air under pressure to a compression chamber** is 15, the compression chamber **which feeds air under pressure to at least one inflatable airbag** is 16 and the inflatable airbag stored on the ceiling of the hull is either one of the airbags in the containers directly pointed out by reference numeral 22 and its lead lines. Both of these air bags are stored on what is the ceiling of the compartments 13 and 12. **The decks above compartments 12 and 13 form both a floor for compartments 13 and 11 and a ceiling for compartments 12 and 13.** As such, with containers 22 sitting on th s decks, they eff ctiv ly sit on top of th

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ceilings of compartments 12 and 13. If they sit on top of the ceilings of compartments 12 and 13, they are stored on the ceilings of these compartments.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek in view of Tuffier.

Ryczek does not disclose the at least one slotted track for holding the at least one inflatable air bag in an uninflated condition and allowing the at least one inflatable airbag to expand.

Tuffier discloses at least one slotted track 41 for holding the at least one inflatable air bag 36 in an uninflated condition and allowing the at least one inflatable airbag to expand.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to replace the containers 22 and air bags 24 of Ryczek with air bags similar to those of figures 2 and 7 of Tuffier. As such the inflatable air bag would have a slot similar to 41 of Tuffier. Rings similar to 26 of Tuffier would be used to attached the air bag to the ship inside of the containers-22.

A reason to do so is to provide bunks similar to bunks 5 of Tuffier within the compartments of Ryczek. The inflatable air bags will perform the dual function of helping to keep the ship of Ryczek from sinking when inflated and providing a bunk within a compartment when not inflated. Separate containers for the airbags and separate bunks will not be needed rendering a cost savings.

The one device of claims 22 and 23 would be similar to ring 26 of Tuffier. With regard to the inner and outer walls defined in claim 23, the outer wall is the outer hull for the ship. The inner walls are the decks above compartments 12 and 13. A ring similar to 26 of Tuffier would be used to fasten the air bag similar to 36 of Tuffier to the slotted track similar to 41 of Tuffier between the inner and outer walls when it fastens the air bags to the decks above compartments 12 and 13.

6. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek in view of Bick et al.

Ryczek does not disclose a sonar warning system for warning of potential harm to the vessel. Bick et al uses a sonar warning system providing advance warning of underwater navigation hazards that threaten ship passage. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to provide the ship of Ryczek with a system similar to that of Bick et al so that the ship could be warned of an underwater hazard and possibly avoid a collision which would cause the ship to sink.

7. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek in view of Day.

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The compressor of Ryczek does not use overlapping impeller blades. Day discloses a compressor blade which uses overlapping blades. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to provide the compressor of Ryczek with an impeller having overlapping blades similar to the impeller of Day. **A reason to use an impeller with overlapping blades is given in column 2, lines 1-6 of Day.**

8. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryczek in view of Gilbert.

Ryczek does not disclose that his compressor 15 is connected by an axle to a clutch device which is attached to an axle from the vessel's engine. Gilbert in figure 4 attaches compressor 2 with an axle to a clutch device 33 which is attached by an axle to the engine of the vessel. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to attach the compressor of Ryczek to a clutch similar to 33 of Gilbert by an axle and the clutch to the engine of Ryczek by an axle in view of the teachings of Gilbert. A reason to do so is to **power the compressor with the engine of Ryczek and yet allow separate operation of the propeller of Ryczek and the air compressor of Ryczek. A separate engine or motor to power the compressor will not be needed. A cost savings will result due to the fact that a separate motor or engine to power the compressor will not have to be provided.**

Allowabl Subj ct Matter

9. Claims 25 and 28-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. **The rejection of claim 28 under the second paragraph of 35 U.S.C. 112 as set forth in the office action mailed January 16, 2003 is, after further consideration, withdrawn. First of all, "each compression chamber" in lines 2 and 3 of claim 28 does not make the claim ambiguous as stated in the office action mailed January 16, 2003. The limitation "at least one compression chamber" of claim 28, line 1 implies one or compression chambers. In claiming "each compression chamber", more than one compression chamber is positively claimed. With regard to "the inflatable airbags" not having a clear antecedent, antecedent basis for "the inflatable airbags" is provided by "at least one inflatable airbag" of claim 20.**

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sherman D. Basinger whose telephone number is 703-308-1139. The examiner can normally be reached on M-F (6:00-2:30 ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on 703-308-0230. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

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~~872-9326 for regular communications and 703-872-9327 for After Final~~

communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.



Sherman D. Basinger
Primary Examiner
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sdb

June 30, 2003